

REMARKS

Claims 28-50 were previously pending in the application. Claims 47, 49 and 50 are cancelled and new claims 51-53 are added. Therefore, claims 28-46, 48 and 51-53 are presented for consideration.

Claims 28-30, 32-35, 37-39, 41-45 and 48-50 are rejected as anticipated by FEINBERG 6,082,776.

Reconsideration and withdrawal of the rejection are respectfully requested because the reference does not disclose or suggest a method for producing and printing a franking mark on a postal article as recited in claim 28 of the present application.

As disclosed on page 1, lines 13-17 of the present application, "franking mark" refers, for example, to an electronic postage stamp, that is to say, a mark printed on a postal article by a franking machine or a printer, which inter alia can represent a franking value for the postal article.

FEINBERG is related to a method and a system for storing personal medical information. Specifically, column 4, lines 1-31 of FEINBERG disclose a sequence of human-readable characters that are representative of personal medical information. The information is imprinted onto a wallet-size card or sticker. The method of FEINBERG is not related to postal articles and as such would not anticipate a step of securely printing a franking mark

on a postal article as recited in claim 28 of the present application.

Claims 29, 30 and 32-35 depend from claim 28 and further define the invention and are also believed patentable over FEINBERG.

Claim 37 is directed to a system for producing and printing a franking mark on a postal article. The comments above regarding claim 28 are equally applicable to claim 37.

In addition, claim 37 provides that terminals are arranged to transmit data including a copy of one or more unique bit strings in combination with the identification code (established by the terminals) to a central office, the central office being arranged to store the data in a second memory.

Column 4, lines 40-53 of FEINBERG disclose that the card contains the necessary medical information. No special electronic readers or writers are needed and no access to a central mainframe repository of medical records or a complex computer network is necessary. Accordingly, FEINBERG specifically teaches away from data being stored in a central office. The database 100 indicated in the Official Action is disclosed at column 7, lines 3-44 of FEINBERG as a database that includes dictionaries of standard medical data classifications and probability based models. Such databases reside on a number of PCs and are used for diagnosis. There is no central database that stores data transmitted from

each of a plurality of terminals. Accordingly, reconsideration and withdrawal of the rejection as to claim 37 is respectfully requested.

Claims 38, 39 and 41-45 depend from claim 37 and further define the invention and are also believed patentable over the cited prior art.

Claim 48 is directed to a printing device that is structured and arranged for printing a franking mark on a postal article. The comments above regarding claim 28 are equally applicable to claim 48.

Claims 31 and 40 are rejected as unpatentable over FEINBERG in view of LEE et al. 6,170,744. This rejection is respectfully traversed.

LEE et al. is only cited for the teaching of providing a secure non-reusable one-way hash value on a negotiable document. The negotiable documents disclosed by LEE et al. are not postal articles as claimed in claims 28 and 37. As set forth above, FEINBERG does not disclose or suggest what is recited in claims 28 and 37. Since claims 31 and 40 depend from claims 28 and 37, respectively, and further define the invention, the combination of references would not render obvious claims 31 and 40.

In addition, MPEP §2143.01 states that "if a proposed modification would render the prior art invention being modified unsatisfactory for its intended purposed, then there is no

suggestion or motivation to make the proposed modification." In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Based on applicants' understanding of FEINBERG, the unique bit string is based on the user's medical history. The user's medical history is updated each time the user goes to the doctor's office. The medical history is stored on a card. The proposed combination of references suggested in the Official Action appears to prevent updating the card. Such proposed combination would render FEINBERG unsatisfactory for its intended purpose. Accordingly, further clarification of the motivation to combine the references is respectfully requested.

Claims 36, 46 and 47 are rejected as unpatentable over FEINBERG. This rejection is respectfully traversed.

Claims 36 and 46 depend from claims 28 and 37, respectively, and further define the invention and are also believed patentable over FEINBERG. Claim 47 is cancelled.

In addition, claims 36 and 46 provide a third memory for read-in franking marks and the read-in franking marks are compared to a data in a second memory.

Column 4, lines 31-53 of FEINBERG disclose that the card of FEINBERG is not a "smart card". No special electronic readers or writers or electronic media are needed. The information is in a visible code that is read by a human. The code is then translated into medical information. FEINBERG specifically

teaches away from a central memory wherein a central mainframe repository or a complex computer network is not necessary. Accordingly, it would not be obvious to have a third memory wherein read-in franking marks are compared to franking marks in a second memory as recited in claims 36 and 46.

By way of further explanation, an object of the present invention is to prevent postal fraud as set forth on page 11, lines 15-32 of the present application. Specifically, the franking mark contains a unique bit string and an identification code. The identification code identifies who purchased an electronic postage stamp, and/or the device where the franking mark is printed. The combination of the unique bit strings generated and stored at a central office together with the identification code unique to a specific printing location enables the origin of the postal article to be determined such that fraudulent users can be traced back to the point of origin.

The medical history information of FEINBERG is based on medical classifications stored in medical dictionaries that are available on a database. Based on a set of standard symptoms, medications are prescribed and diagnoses are made. The system and method of FEINBERG are based on compressing information based on information gleaned from medical dictionaries. This information is then encoded and is human readable. FEINBERG teaches away from a central office that stores everyone's medical history.

Accordingly, not only is the art non-analogous, but the teachings of the reference is opposed to that which is recited in the claims of the present invention. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

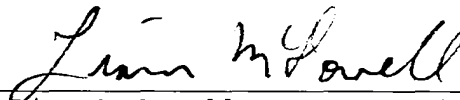
New claims 51-53 depend from claims 28 and 37 and further define the invention. In addition, the claims further set forth that the present invention is related to postal articles. As such, the new claims and the existing claims address problems associated with the postal industry that would not be recognized in the medical arts.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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